

## **EXHIBIT B**

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

(Please print or type)

Name of Customer: Melvyn I. Weiss/Westben Corp.  
Mailing Address: c/o Jeffrey R. Schissel CPA, 450 Seventh Avenue, Ste. 2710  
City: New York State: NY Zip: 10123  
Account No.: MB36  
Taxpayer I.D. Number (Social Security No.): 1381

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

\*\*\*\*\*

**1. Claim for money balances as of December 11, 2008:**

- a. The Broker owes me a Credit (Cr.) Balance of \$ 0
- b. I owe the Broker a Debit (Dr.) Balance of \$ 0
- c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, it must be enclosed  
with this claim form. \$ \_\_\_\_\_
- d. If balance is zero, insert "None." None

2. Claim for securities as of December 11, 2008:

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>X</u>	<u>          </u>
b. I owe the Broker securities	<u>          </u>	<u>X</u>
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	Number of Shares or Face Amount of Bonds I Owe the Broker (Short)
See Nov. 30, 2008 QM36 statements, attached hereto as Exhibit A.			
\$1,097,738.92	(market value of securities long, per QM36-3 statement)		
37,950.00	(market value of securities long, per QM36-4 statement)		
(53,590.00)	(market value of securities short, per QM36-4 statement)		
<b>TOTAL:</b> \$1,082,098.92			

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor. See Exhibits A and B, and documents submitted herewith.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

- |   | <u>YES</u> | <u>NO</u>   |
|---|------------|-------------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain.  | _____      | _____X_____ |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?   | _____      | _____X_____ |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | _____      | _____X_____ |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)    | _____      | _____X_____ |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                         | _____      | _____X_____ |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                   | _____      | _____X_____ |
| 9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.  | _____      | _____X_____ |

Please list the full name and address of anyone assisting you in the preparation of this claim form: Christopher Van De Kieft, Esq., Seeger Weiss LLP, One William Street, New York, NY 10004

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date April 16, 2009 Signature *Daniel Markowitz*  
President, Westban  
Date MAY 15, 2009 Signature *AS*

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly,  
together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

**CUSTOMER CLAIM**

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

December 11, 2008

**Account Ownership Information for  
Westben Corp.**

**BMIS Customer Name:** Westben Corp.

**President of  
Westben Corp.:** Daniel Markowitz

**Address:** c/o of Jeffrey Schissel CPA, 450 Seventh Avenue, New York, NY  
10123

Pursuant to the accounting document for Westben Corp. ("Corporation") enclosed herewith, I am the President of the Corporation, and as such, am authorized to file a SIPC Claim on behalf of the Corporation.

April 21, 2009  
Date

Daniel Markowitz  
Daniel Markowitz  
President, Westben Corp.

**CUSTOMER CLAIM**

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

December 11, 2008

**Explanation of Authority: Attorney-in-Fact for Melvyn I. Weiss  
Bernard L. Madoff Investment Securities Account No. CM336**

**Attorney in Fact for  
Melvyn I. Weiss:** David Sands

**Address:**  
Buchbinder Tunick & Company LLP  
One Pennsylvania Plaza, Suite 5335  
New York, NY 10119

**Tel. No.:** 212-896-1919

Pursuant to the Power of Attorney submitted herewith in Exhibit B, I, David Sands, am authorized to file a Securities Investor Protection Corporation Customer Claim on behalf of Melvyn I. Weiss, for the Account of Melvyn I. Weiss/West Ben, No. CM336, with Bernard L. Madoff Securities, LLC.

MAY 15, 2009  
Date

David Sands  
David Sands, as attorney-in-fact for Melvyn I. Weiss

# ***EXHIBIT A***



Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6022

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 394-1343  
Fax (212) 838-4061  
MELVYN I WEISS/WESTBEN

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT MELVYN I WEISS/WESTBEN  
JEFFREY R SCHISSEL CPA

450 SEVENTH AVENUE STE 2710  
NEW YORK NY 10123

YOUR ACCOUNT NUMBER  
1-EM336-3-0

MEMO DATES  
11/30/08

PAGE  
1

YOUR TAX PAYER IDENTIFICATION NUMBER  
\*\*\*\*\*1381

DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	598		2371	BALANCE FORWARD		66,446.65	
11/12	391		2873	WAL-MART STORES INC	55.830	33,409.34	
11/12	1,449		6697	INTERNATIONAL BUSINESS MACHS	87.270	34,137.57	
11/12	1,587		7199	EXXON MOBIL CORP	72.880	105,660.12	
11/12	759		11525	INTEL CORP	14.510	23,090.37	
11/12	1,035		15851	JOHNSON & JOHNSON	59.580	45,251.22	
11/12	552		20176	J.P. MORGAN CHASE & CO	38.530	39,919.55	
11/12	322		24502	COCA COLA CO	44.660	24,674.32	
11/12	598		28828	MCDONALDS CORP	55.370	17,841.14	
11/12	2,185		33154	MERCK & CO	28.550	17,095.90	
11/12	1,104		37480	MICROSOFT CORP	21.810	47,741.85	
11/12	437		50458	ORACLE CORPORATION	17.300	19,143.20	
11/12	253		50860	PEPSICO INC	56.410	24,668.17	
11/12	1,863		54784	APPLE INC	100.780	25,507.34	
11/12	437		55286	Pfizer Inc	16.940	31,633.22	
11/12	828		59110	ABBOTT LABORATORIES	54.610	23,881.57	
11/12	299		59612	BRICOR & GAMBLE CO	64.080	53,091.24	
11/12	575		63436	AMGEN INC	39.160	17,699.84	
11/12	1,380		63938	PHILLIP MORRIS INTERNATIONAL	43.600	25,093.00	
11/12	460		67762	BANK OF AMERICA	21.590	29,849.20	
11/12	1,495		68264	QUALCOMM INC	33.770	15,552.20	
11/12	345		72088	CITI GROUP INC	12.510	18,761.45	
11/12	828		72590	SCHLUMBERGER LTD	49.480	17,083.60	
11/12				COMCAST CORP	16.510	13,703.28	
11/12				CL A			
CONTINUED ON PAGE 2							

Affiliated with  
 Madoff Securities International Limited  
 12 Berkeley Street  
 Mayfair, London W1J 8DT  
 Tel 020 7498 6222

885 Third Avenue  
 New York, NY 10022  
 (212) 230-2424  
 800 334-1343  
 Fax (212) 838-4061  
 MELVYN I WEISS/WESTBEN

**BERNARD L. MADOFF**  
 INVESTMENT SECURITIES LLC  
 New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT MELVYN I WEISS/WESTBEN  
 JEFFREY R SCHISSEL CPA

450 SEVENTH AVENUE STE 2710  
 NEW YORK NY 10123

PERIOD ENDING  
 11/30/08

PAGE  
 2

YOUR ACCOUNT NUMBER  
 1-CN336-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER  
 \*\*\*\*\*1381

DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	1,633		76414	AT&T INC	27	44,156.00	
11/12	414		76916	CONOCOPHILLIPS	52.510	21,755.14	
11/12	276		80740	UNITED PARCEL SVC INC CLASS B	52.040	14,374.04	
11/12	1,679		81242	CISCO SYSTEMS INC	16.730	28,156.67	
11/12	483		85066	U S BANCORP	29.530	14,281.99	
11/12	575		85568	CHEVRON CORP	73.430	42,245.25	
11/12	276		89392	UNITED TECHNOLOGIES CORP	53.160	14,683.16	
11/12	2,921		89894	GENERAL ELECTRIC CO	19.630	57,455.23	
11/12	782		93718	VERIZON COMMUNICATIONS	30.410	23,811.62	
11/12	69		94220	GOOGLE	337.460	23,282.60	
11/12	966		98044	WELLS FARGO & CO NEW	29.800	28,824.80	
11/12	690		98546	HEWLETT PACKARD CO	34.900	24,108.00	
11/12		1,050,000	20657	U S TREASURY BILL DUE 2/12/2009	99.936		1,049,328.08
11/12				FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/12/08	DIV		8.08
11/12		12,388	15755	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1		12,388.00
11/12	15,455		25124	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1	15,455.00	
11/19				FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/19/08	DIV		1.08
CONTINUED ON PAGE 3							

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7498 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 884-1343  
Fax (212) 838-4061  
MELVYN I WEISS/WESTREN

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT MELVYN I WEISS/WESTREN  
JEFFREY R SCHISSEL CPA

450 SEVENTH AVENUE STE 2710  
NEW YORK NY 10123

PERIOD ENDING  
11/30/08

PAGE  
3

YOUR ACCOUNT NUMBER  
1-CM336-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER  
\*\*\*\*\*1381

DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRIN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT CREDITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/19		15,455	50383	FIDELITY SPARTAN	1		15,455.00
11/19	75,000		55018	U S TREASURY MONEY MARKET	99.926	74,944.50	
11/19	9,420		59423	U S TREASURY BILL DUE 03/26/2009 3/26/2009	1	9,420.00	
	1,633 437			FIDELITY SPARTAN U S TREASURY MONEY MARKET NEW BALANCE		130,708.36	
	299 253 1,380 575 1,679 1,495 552 828			SECURITY POSITIONS AT&T INC ABBOTT LABORATORIES AMGEN INC APPLE INC BANK OF AMERICA CHEVRON CORP CISCO SYSTEMS INC CITI GROUP INC COCA COLA CO COMCAST CORP CL A CONOCOPHILIPS EXXON MOBIL CORP GENERAL ELECTRIC CO	NEW PRICE 28.560 52.390 55.540 92.670 18.250 79.010 16.540 8.290 46.870 17.340 52.520 80.150 17.170		
	414 1,449 2,921			CONTINUED ON PAGE 4			

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 834-1343  
Fax (212) 888-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT MELVYN I WEISS/WESTBEN  
JEFFREY R SCHISSEL CPA

450 SEVENTH AVENUE STE 2710  
NEW YORK NY 10123

YOUR ACCOUNT NUMBER  
1-CM336-3-0

PERIOD ENDING  
11/30/08

PAGE  
4

YOUR TAX PAYER IDENTIFICATION NUMBER  
\*\*\*\*\*1381

DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	69			GOOGLE	292.960		
	690			HEWLETT PACKARD CO	35.280		
	1,587			INTEL CORP	13.800		
	391			INTERNATIONAL BUSINESS MACHS	81.600		
	1,035			J.P. MORGAN CHASE & CO	31.660		
	759			JOHNSON & JOHNSON	58.580		
	322			MCDONALDS CORP	58.750		
	598			MERCK & CO	26.720		
	2,185			MICROSOFT CORP	20.220		
	1,104			ORACLE CORPORATION	16.090		
	437			PEPSICO INC	56.700		
	1,863			Pfizer Inc	16.430		
	575			PHILLIP MORRIS INTERNATIONAL	42.160		
	828			PROCTER & GAMBLE CO	64.350		
	460			QUALCOMM INC	33.570		
	345			SCHLUMBERGER LTD	50.740		
	9,420			FIDELITY SPARTAN	1		
	483			U.S. TREASURY MONEY MARKET			
	276			U.S. BANCORP	26.980		
				UNITED PARCEL SVC INC	57.600		
				CLASS B			
	75,000			U.S. TREASURY BILL	99.971		
				DUE 03/26/2009			
	276			3/26/2009			
				UNITED TECHNOLOGIES CORP	48.530		
				CONTINUED ON PAGE 5			

**885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061  
WESTBEN**

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT  
JEFFREY R SCHISSEL CPA  
MELVYN I WEISS/WESTBEN  
Fax (212) 838-4061

450 SEVENTH AVENUE STE 2710  
NEW YORK NY 10123

YOUR ACCOUNT NUMBER	PERIOD ENDING	PAGE
0-3-361-1	80/05/11	5
YOUR TAXPAYER IDENTIFICATION NUMBER		
181*****		

DATE	QUANTITY RECEIVED	SOLD QUANTITY	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	782			VERIZON COMMUNICATIONS	32.650		
	598			WAL-MART STORES INC	55.880		
	966			WELLS FARGO & CO NEW	28.890		
				MARKET VALUE OF SECURITIES			
				LONG			
				1,097,738.92			
				SHORT			

Affiliated with  
 Madoff Securities International Limited  
 12 Berkeley Street  
 Mayfair, London W1J 8DT  
 Tel 020 7493 6222

885 Third Avenue  
 New York, NY 10022  
 (212) 230-2424  
 800 854-1343  
 Fax (212) 838-4061  
 MELVYN I WEISS/WESTBEN

**BERNARD L. MADOFF**  
 INVESTMENT SECURITIES LLC  
 New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT MELVYN I WEISS/WESTBEN  
 JEFFREY R SCHISSEL CPA

450 SEVENTH AVENUE STE 2710  
 NEW YORK NY 10123

YOUR ACCOUNT NUMBER  
 1-CM336-4-0

PERIOD ENDING  
 11/30/08

PAGE  
 1

YOUR TAX PAYER IDENTIFICATION NUMBER  
 \*\*\*\*\*1381

DATE	ACCOUNT RECEIVED	SOLD DELIVERED	TRIN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12			41806	BALANCE FORWARD			66,447.00
11/12	23		46132	S & P 100 INDEX NOVEMBER 460 CALL	15.800		36,317.00
11/19		23	32237	S & P 100 INDEX NOVEMBER 450 PUT	17.800	40,963.00	
11/19	23		36562	S & P 100 INDEX DECEMBER 430 CALL	26		59,777.80
11/19	23		40887	S & P 100 INDEX DECEMBER 420 PUT	30	69,023.00	
11/19		23	45212	S & P 100 INDEX NOVEMBER 460 CALL	3	6,923.00	
				NEW BALANCE	37		85,077.80
				SECURITY POSITIONS			
	23			S & P 100 INDEX DECEMBER 430 CALL	MKT PRICE 23.300		130,709.80
				S & P 100 INDEX DECEMBER 420 PUT	16.500		
				MARKET VALUE OF SECURITIES			
				LONG			
				37,950.00			
				SHORT			
				53,590.00			

# ***EXHIBIT B***

**EXHIBIT B**

1. This Claim Form, exhibits, and supporting documentation (collectively "Claim Form") is submitted pursuant to the December 23, 2008 Order of the Honorable Burton R. Lifland and the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008.
2. The information provided in the Claim Form is based on information provided in the Claimant's latest Madoff account statement and additional information known by the Claimant as of the date of the submission of the Claim Form. The Claimant reserves the right to amend and/or supplement this Claim Form upon the receipt of further information, or upon request by the Trustee for additional information.
3. The Claimant reserves the right to amend the Claim Form in the event of any recoveries by the Trustee or any other party under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law or equity.
4. The Claimant hereby requests that the Claim Form be considered as a proof of claim in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order and the Trustee's instructions to the Claimant. To the extent permitted by applicable law, the Claimant does not, by submitting the Claim Form, consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.



8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
9. To the extent the Claimant has disclosed to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.
10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not to be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
12. The Claimant submits herewith documents in support of the Claimant's claim, including documents containing information regarding account transactions, such as contributions and/or withdrawals. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents, if deemed necessary. Attached is a list of the documents submitted herewith.

**Melvyn I. Weiss/Westben  
Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
1	9/30/2008	Schissel & Cohen	Westben Corp	Notes to Financial Statement for Westben for the nine months ended September 30, 2008.
2	8/19/2008			Durable General Power of Attorney appointing David Sands and Lois Silverman as Attorneys-in-Fact.
3	10/22/2007	Washington Mutual	Danny Markowitz	Confirmation of Domestic Wire Transfer Order transferring \$780,000 from Danny Markowitz's Washington Mutual Account No. 048600004426048 to Bernard L. Madoff, JPMorgan Chase Bank Account No. 140081703.
4	10/22/2007	Washington Mutual	Edie Markowitz, Danny Markowitz	Outgoing Wire Transfer Notice verifying that funds in the amount of \$780,000 were debited from Edie Markowitz and Danny Markowitz's Washington Mutual Bank Account No. 486-442604-8 in favor of Bernard L. Madoff.
2008 Bernard L. Madoff Investment Securities LLC monthly account statements				
	10/31/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities October 2008 account statement.

**Melvyn L. Weiss/Westben  
Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
	9/30/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities September 2008 account statement.
	8/31/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities August 2008 account statement.
	7/31/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities July 2008 account statement.
	6/30/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities June 2008 account statement.
	5/31/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities May 2008 account statement.
	4/30/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities April 2008 account statement.

**Melvyn I. Weiss/Westben**  
**Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
	3/31/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities March 2008 account statement.
	2/29/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities February 2008 account statement.
	1/31/2008	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities January 2008 account statement.
2007 Bernard L. Madoff Investment Securities LLC monthly account statements				
	12/31/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities December 2007 account statement.
	11/30/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities November 2007 account statement.

**Melvyn I. Weiss/Westben**  
**Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
	10/31/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities October 2007 account statement.
	9/30/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities September 2007 account statement
	8/31/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities August 2007 account statement
	7/31/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities July 2007 account statement
	6/30/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities June 2007 account statement
	5/31/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities May 2007 account statement

**Melvyn I. Weiss/Westben**  
**Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
	4/30/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities April 2007 account statement.
	3/31/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities March 2007 account statement.
	2/28/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities February 2007 account statement.
	1/31/2007	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities January 2007 account statement.
2006 Bernard L. Madoff Investment Securities LLC monthly account statements				
	12/31/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities December 2006 account statement.

**Melvyn I. Weiss/Westben**  
**Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
	11/30/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities November 2006 account statement.
	8/31/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities August 2006 account statement.
	7/31/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities July 2006 account statement.
	6/30/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities June 2006 account statement.
	5/31/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities May 2006 account statement.
	4/30/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities April 2006 account statement.

**Melvyn I. Weiss/Westben**  
**Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
	3/31/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities March 2006 account statement.
	2/28/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities February 2006 account statement.
	1/31/2006	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities January 2006 account statement.
2005 Bernard L. Madoff Investment Securities LLC monthly account statements				
	12/31/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities December 2005 account statement.
	11/30/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities November 2005 account statement.



**Melvyn I. Weiss/Westben**  
**Bernard L. Madoff Investment Securities Account No. CM336**

<b>Document Number</b>	<b>Date of Document</b>	<b>Issuing Party</b>	<b>Prepared for</b>	<b>Description of Document</b>
	8/31/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities August 2005 account statement.
	7/31/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities July 2005 account statement.
	6/30/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities June 2005 account statement.
	5/31/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities May 2005 account statement.
	3/31/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities March 2005 account statement.
	2/28/2005	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities February 2005 account statement.

**Melvyn I. Weiss/Westben**  
**Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
2004 Bernard L. Madoff Investment Securities LLC monthly account statements				
	12/31/2004	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities December 2004 account statement.
	11/30/2004	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities November 2004 account statement.
	10/31/2004	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities October 2004 account statement.
	9/30/2004	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities September 2004 account statement.
	8/31/2004	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities August 2004 account statement.

**Melvyn I. Weiss/Westben  
Bernard L. Madoff Investment Securities Account No. CM336**

<b>Document Number</b>	<b>Date of Document</b>	<b>Issuing Party</b>	<b>Prepared for</b>	<b>Description of Document</b>
	7/31/2004	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities July 2004 account statement.
2002 Bernard L. Madoff Investment Securities LLC monthly account statements				
	12/31/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities December 2002 account statement.
	11/30/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities November 2002 account statement.
	10/31/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities October 2002 account statement.
	9/30/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities September 2002 account statement.

**Melvyn I. Weiss/Westben  
Bernard L. Madoff Investment Securities Account No. CM336**

Document Number	Date of Document	Issuing Party	Prepared for	Description of Document
	8/31/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities August 2002 account statement.
	7/31/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities July 2002 account statement.
	6/30/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities June 2002 account statement.
	5/31/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities May 2002 account statement.
	4/30/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities April 2002 account statement.
	1/31/2002	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities January 2002 account statement.

**Melvyn I. Weiss/Westben  
Bernard L. Madoff Investment Securities Account No. CM336**

<b>Document Number</b>	<b>Date of Document</b>	<b>Issuing Party</b>	<b>Prepared for</b>	<b>Description of Document</b>
2001 Bernard L. Madoff Investment Securities LLC monthly account statements				
	6/30/2001	Bernard L. Madoff Investment Securities LLC	Jeffrey R. Schissel CPA	Bernard L. Madoff Investment Securities June 2001 account statement.

1

WESTBEN CORP AND ESW CORP  
NOTES TO COMBINED FINANCIAL STATEMENTS  
NINE MONTHS ENDED SEPTEMBER 30, 2008

**Organization, Nature of Business, Officers and Stockholders**

Westben Corp and ESW Corp, (the "Company"), were organized to operate retail stores for the sale of Benetton clothing. The locations and approximate square footage of selling space are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>SQUARE FOOTAGE</u>
ESW Corp	Austin Street, Forest Hills, NY	1,450
Westben Corp	Roosevelt Field Mall, Garden City, NY	1,750

Names of officers, title, percentage of ownership and dates of incorporation are as follows:

<u>NAME</u>	<u>TITLE</u>	<u>% OF OWNERSHIP</u>	<u>DATE OF INCORPORATION</u>
ESW Corp			
Edith Markowitz	Vice Pres/Treasurer	50	Apr 12, 1984
Suzanne Edelman	Secretary	25	
Dan Markowitz	President	25	
Westben Corp			
Edith Markowitz	Vice Pres/Treasurer	50	May 14, 1984
Suzanne Edelman	Secretary	25	
Dan Markowitz	President	25	

**I. Significant Accounting Policies**

**USE OF ESTIMATES**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

**REVENUE RECOGNITION**

Revenue from the sale of products is recognized at the time title and risks and rewards of ownership pass. This is generally when the sales price is fixed and determinable and collection is reasonably assured.

2



# DURABLE GENERAL POWER OF ATTORNEY

## NEW YORK STATUTORY SHORT FORM

*THE POWERS YOU GRANT BELOW CONTINUE TO BE EFFECTIVE  
SHOULD YOU BECOME DISABLED OR INCOMPETENT*

**Caution:** This is an important document. It gives the person whom you designate (your "Agent") broad powers to handle your property during your lifetime, which may include powers to mortgage, sell, or otherwise dispose of any real or personal property without advance notice to you or approval by you. These powers will continue to exist even after you become disabled or incompetent. These powers are explained more fully in New York General Obligations Law, Article 5, Title 15, Sections 5-1502A through 5-1503, which expressly permit the use of any other or different form of power of attorney.

This document does not authorize anyone to make medical or other health care decisions. You may execute a health care proxy to do this.

If there is anything about this form that you do not understand, you should ask a lawyer to explain it to you.

THIS is intended to constitute a DURABLE GENERAL POWER OF ATTORNEY pursuant to Article 5, Title 15 of the New York General Obligations Law:

*I*, Melvyn I Weiss, 74 Cove Road, Oyster Bay, NY 11771

*(insert your name and address)*

do hereby appoint:

*(If 1 person is to be appointed agent, insert the name and address of your agent above)*

David Sands  
2817 Clubhouse Road  
Merrick, NY 11566

Lois Silverman  
83-33 Austin Street - Apt. No. 4L  
Kew Gardens, NY 11415

*(If 2 or more persons are to be appointed agents by you insert their names and addresses above)*

my attorney(s)-in-fact TO ACT

*(If more than one agent is designated, CHOOSE ONE of the following two choices by putting your initials in ONE of the blank spaces to the left of your choice:)*

- [ X ] Each agent may SEPARATELY act.  
[ ] All agents must act TOGETHER.

*(If neither blank space is initialed, the agents will be required to act TOGETHER)*

IN MY NAME, PLACE AND STEAD in any way which I myself could do, if I were personally present, with respect to the following matters as each of them is defined in Title 15 of Article 5 of the New York General Obligations Law to the extent that I am permitted by law to act through an agent:

**(DIRECTIONS: Initial in the blank space to the left of your choice any one or more of the following lettered subdivisions as to which you WANT to give your agent authority. If the blank space to the left of any particular lettered subdivision is NOT initialed, NO AUTHORITY WILL BE GRANTED for matters that are included in that subdivision. Alternatively, the letter corresponding to each power you wish to grant may be written or typed on the blank line in subdivision "(Q)", and you may then put your initials in the blank space to the left of subdivision "(Q)" in order to grant each of the powers so indicated.)**

- |   |   |
|---|---|
| <input type="checkbox"/> (A) real estate transactions;                          | <input type="checkbox"/> (M) making gifts to my spouse, children and more remote descendants, and parents, not to exceed in the aggregate \$10,000 <sup>1</sup> to each of such persons in any year;    |
| <input type="checkbox"/> (B) chattel and goods transactions;                    |   |
| <input checked="" type="checkbox"/> (C) bond, share and commodity transactions; |   |
| <input checked="" type="checkbox"/> (D) banking transactions;                   | <input checked="" type="checkbox"/> (N) tax matters;  |
| <input type="checkbox"/> (E) business operating transactions;                   | <input type="checkbox"/> (O) all other matters  |
| <input checked="" type="checkbox"/> (F) insurance transactions;                 | <input type="checkbox"/> (P) full and unqualified authority to my attorney(s)-in-fact to delegate any or all of the foregoing powers to any person or persons whom my attorney(s)-in-fact shall select; |
| <input type="checkbox"/> (G) estate transactions;                               |   |
| <input checked="" type="checkbox"/> (H) claims and litigation;                  |   |
| <input type="checkbox"/> (I) personal relationships and affairs;                |   |
| <input type="checkbox"/> (J) benefits from military service;                    | <input checked="" type="checkbox"/> (Q) each of the above matters identified by the following letters: <u>S, D, F</u>   |
| <input checked="" type="checkbox"/> (K) records, reports and statements;        | <u>H, K, N</u>  |
| <input type="checkbox"/> (L) retirement benefit transactions;                   |   |

*(Special provisions and limitations may be included in the statutory short form durable power of attorney only if they conform to the requirements of section 5-1503 of the New York General Obligations Law.)*

<sup>1</sup>As of January 1, 2002, the annual gift tax exclusion is \$11,000. To authorize gifts up to \$11,000, add language to that effect under "Special provisions..." above.

This Durable Power of Attorney shall not be affected by my subsequent disability or incompetence.  
If every agent named above is unable or unwilling to serve, I appoint

(insert name and address of successor)

to be my agent for all purposes hereunder.

To induce any third party to act hereunder, I hereby agree that any third party receiving a duly executed copy or facsimile of this instrument may act hereunder, and that revocation or termination hereof shall be ineffective as to such third party unless and until actual notice or knowledge of such revocation or termination shall have been received by such third party, and I for myself and for my heirs, executors, legal representatives and assigns, hereby agree to indemnify and hold harmless any such third party from and against any and all claims that may arise against such third party by reason of such third party having relied on the provisions of this instrument.

This Durable General Power of Attorney may be revoked by me at any time.

In Witness Whereof, I have hereunto signed my name this \_\_\_\_\_ day of \_\_\_\_\_

(YOU SIGN HERE:)

→ *Melvin I Weiss*  
(Signature of Principal)

### NEW YORK UNIFORM ACKNOWLEDGEMENT

STATE OF *New York*

COUNTY OF *New York*

ss.:

On *August 19, 2008* before me, the undersigned, a Notary Public in and for said State, personally appeared *Melvin I Weiss*  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**KAREN T. MILES**  
Notary Public, State of New York  
No. 01MI4704613  
Qualified in New York County  
Commission Expires April 30, 2011

*Karen Miles*  
(signature and office of person taking acknowledgment)

STATE OF

COUNTY OF

ss.:

On \_\_\_\_\_ before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
(signature and office of person taking acknowledgment)

3



**Confirmation of Domestic Wire Transfer Order**

<b>Customer Information:</b>		<b>Date:</b> 10/22/2007
Name: DANNY MARKOWITZ		
Authorized Representative Name:		
Address:		
124 EAGLES CRES		MANHASSET, NY 110304040
Fax Number:	Phone Number: (566) 484-4830	
<b>WIRE APPROVAL/CONFIRMATION AND FC INFORMATION:</b>		
Name: MANHASSET		Phone Number: (516) 627-4348
Address:		
384 PLANDOME RD		MANHASSET, NY 110301941
Fax/Phone Wire Request Confirmed with (Customer/AR/AIF):		
Time:	Date:	FC Representative Name:

Thank you for banking with Washington Mutual.

This serves as a confirmation for a Domestic Wire

Your account will be debited on: 10/22/2007

You must contact the Bank immediately at the center noted above if any information contained in this confirmation is inconsistent with your records.

Beneficiary Bank: JPMORGAN CHASE BANK, NA  
Beneficiary Name: BERNARD L. MADOFF  
Beneficiary Account Number: 140081703  
Wire Amount: \$780,000.00

By Order of: DANNY MARKOWITZ  
Amount Debited: \$780,000.00  
Fee: \$0.00

Transaction Reference Number: VB00073119767484

Account number: 6048

Agent Name: JOSEPH SCOTT

4



**OUTGOING WIRE TRANSFER NOTICE**

P.O. BOX 1097  
NORTHRIDGE, CA 91328-1097

745

EDIE MARKOWITZ  
DANNY MARKOWITZ  
124 EAGLES CRES  
MANHASSET NY 11030-4040



Dear Valued Customer:

We are writing today to let you know that the following transaction(s) have posted to your account.

Transaction Date:	10/22/2007
Account Number:	604-8
Domestic Outgoing Wire:	\$780,000.00
Transaction Reference Number:	071022015035
Fed Reference:	1022L1B7813R000648
Beneficiary:	BERNARD L. MADOFF
Originator to Beneficiary Information:	FOR BENEFIT OF : MELVIN I. WEISSWES TBEN CORP. ACCOUNT : 1CM33630
Sender or Receiver ABA:	021000021
Sender Reference:	9767484158673
By order of /Originating Party:	DANNY MARKOWITZ

If you have questions, please call us at 1-800-788-7000. We're here 24 hours a day, seven days a week, and our goal is to provide you with the best customer service possible.

Thanks for banking with Washington Mutual.